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BY ECF

Honorable Paul A. Crotty
United States District Court
500 Pearl Street
New York, NY 10007

**Re: Martin O'Brien and James Manning v. NICE Systems Inc.
and NICE Systems Ltd. (No. 07 Civ. 9582)**

Dear Judge Crotty:

We represent the Plaintiffs in the above matter. As Your Honor may recall, at the most recent conference, the Court encouraged the parties to attempt to resolve this matter prior to the expenditure of the time and resources required for the extensive electronic and other discovery required in this matter. The parties are now pursuing such settlement discussions and anticipate that several meetings/mediation sessions may be required over the coming months to exhaust settlement discussions. Moreover, because an insurance company is involved, the period of time required to engage in such discussions may be longer as well.

Accordingly, the parties jointly request a three-month extension of the case deadlines so that they can focus their time and effort on settlement discussions over the coming months. A proposed schedule is attached. The parties have agreed to suspend responding to formal discovery requests and attempting to resolve discovery disputes during settlement discussions.

On a separate issue, I have discovered a few clerical errors in the Complaint and intend to submit a separate letter to the Court seeking to amend the Complaint under Fed. R. Civ. P. 15 to correct the errors. Defendants have agreed that any delay in seeking an amendment during the pendency of settlement discussions shall not be a basis for opposing the motion.

Thank you for Your Honor's attention to this matter.

Respectfully submitted,


Kenneth A. Goldberg

cc: Jay Warren, Esq.
Eva Jerome, Esq.